

AUG. 30. 2006 3:32PM

DLA PIPER

RECEIVED
CENTRAL FAX CENTER NO. 484 P. 4

AUG 30 2006

**REPLY UNDER 37 C.F.R. 1.116 - EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3693**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	: 3693	Customer No. 035811
Examiner	: James M. Alpert	
Serial No.	: 09/970,600	Docket No.: 1480-R-00
Filed	: October 4, 2001	
Inventor(s)	: William H. Wisecarver, III.	Confirmation No.: 1951
	: Mary F. Nugent	
Title	: SYSTEM AND METHOD FOR	
	: ON-LINE PAYMENT TRANSACTIONS	
		Dated: August 30, 2006

**REPLY UNDER 37 C.F.R. 1.116 - EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3693**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action dated August 11, 2006, the Applicants provide the following statement in accordance with 37 C.F.R. 1.116(e):

On October 21, 2005, the Applicants submitted a Declaration of Prior Invention under 37 C.F.R. 1.131 ("Declaration"), together with Exhibit "A", to establish priority of invention over U.S. Patent Application Publication No. 20010034720 to Armes. The Applicants submit that this Declaration was filed with the good faith belief that it complied with all of the requirements of 37 C.F.R. 1.131. In a final Office Action dated April 20, 2006, the Examiner objected to the Declaration as being defective. In response, to accommodate the Examiner, the Applicants submitted a revised Declaration overcoming the Examiner's objections. An August 11, 2006 Advisory Action refused to enter the revised Declaration for failing to submit a statement in accordance with 37 C.F.R. 1.116(e). Accordingly, the Applicants herein provide the required statement in accordance with 37 C.F.R. 1.116(e).

The Applicants submit that the 37 C.F.R. 1.131 Declaration filed on June 26, 2006, together with Exhibit "A", is necessary insofar as it establishes a priority of invention over the Armes reference, thus placing the present application in condition for allowance. This revised

AUG. 30. 2006 3:32PM

DLA PIPER

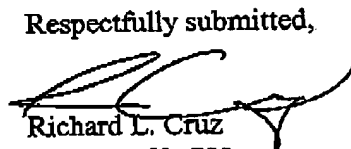
NO. 484 **RECEIVED**
CENTRAL FAX CENTER

AUG 30 2006

**REPLY UNDER 37 C.F.R. 1.116 – EXPEDITED PROCEDURE
TECHNOLOGY CENTER 3693**

Declaration was not presented earlier in its current form because it is the Applicants' good faith belief that the original Declaration, as filed on October 21, 2005, complied with all of the requirements of law. Nonetheless, the Applicants revised the Declaration and submitted it in its current form because it was requested by the Examiner, in order to place the application in condition for allowance. In view of this statement in accordance with 37 C.F.R. 1.116(e), the Applicants respectfully submit that the Declaration, together with Exhibit "A", filed on June 26, 2006, comply with all of the requirements of law and accordingly should be entered into the official record. Since this Declaration establishes priority of invention over Armes, the Applicants submit that the present application is now in condition for allowance and respectfully request a notice indicating the same.

Respectfully submitted,



Richard L. Cruz
Reg. No. 52, 783

RLC/as
215-656-3385